

Message Text

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ACTION DLOS-09

INFO OCT-01 EUR-12 IO-13 ISO-00 ACDA-12 AGRE-00 AID-05
CEA-01 CEQ-01 CG-00 CIAE-00 COME-00 DODE-00
DOTE-00 EB-08 EPA-01 SOE-02 DOE-15 FMC-01 TRSE-00
H-01 INR-10 INT-05 JUSE-00 L-03 NSAE-00 NSC-05
NSF-01 OES-07 OMB-01 PA-01 PM-05 SP-02 SS-15
USIA-06 OIC-02 AF-10 ARA-10 EA-10 NEA-10 /185 W
-----072465 211726Z /40

R 211551Z MAR 78
FM AMEMBASSY BERLIN
TO SECSTATE WASHDC 6976
INFO USMISSION USUN NEW YORK
USMISSION GENEVA

C O N F I D E N T I A L SECTION 01 OF 02 BERLIN 02020

E.O.11652: GDS
TAGS: PLOS, GE
SUBJECT: LOS: GDR COMMENTS ON LOS ISSUES

REF: BERLIN 1563 AND PREVIOUS

1. SUMMARY: EMBOFF HAS MET WITH GDR LOS
OFFICIALS AND REVIEWED DEEP SEABED ISSUES IN
CONNECTION WITH THE FORTHCOMING LOS CONFERENCE.
DEPUTY FOREIGN MINISTER (MOLDT) HAS EXPRESSED
APPRECIATION FOR US-GDR CONSULTATIONS
BOTH IN NEW YORK, DURING THE INTERSESSIONAL MEETING,
AND IN BERLIN. END SUMMARY.

2. EMBOFF MET WITH GUNTER GOERNER, DEPUTY HEAD
OF THE LAW AND TREATY DEPARTMENT, MINISTRY OF
FOREIGN AFFAIRS, AND WITH HARRY WUENSCHKE OF THE
ACADEMY FOR POLITICAL SCIENCE AND JURISPRUDENCE,
ON MARCH 14 FOR FURTHER DISCUSSION OF LOS. MOST
OF THE DISCUSSION WAS DEVOTED TO DEEP SEABED ISSUES.
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3. AS OUTLINED BY WUENSCHKE, GDR CONCERNS WERE
ESSENTIALLY ALONG LINES AS DESCRIBED BERLIN 809,
PARAGRAPH 16. WUENSCHKE PROPOSED THAT FIRST
SENTENCE OF PARAGRAPH 1 OF ARTICLE 151 BE AMENDED
TO READ AS FOLLOWS: "ACTIVITIES IN THE AREA SHALL
BE CONDUCTED, ORGANIZED OR CONTROLLED BY THE

AUTHORITY ON BEHALF OF MANKIND AS A WHOLE ETC."
AS A FALLBACK, THE GDR COULD AGREE TO "AND CONTROLLED."
HE PROPOSED DELETION OF PARAGRAPH 2 (II) OF
ARTICLE 151 BEGINNING WITH "WHICH, THROUGH
CONTRACTUAL OR OTHER MANAGEMENT ETC." UNTIL THE
END OF THE PARAGRAPH. GDR WOULD PREFER TO SEE
THE WORD "THE" SUBSTITUTED FOR "ANY" IN THE LAST
LINE OF PARAGRAPH 5 OF ARTICLE 151 AND WOULD LIKE
TO SEE PARAGRAPH 7 OF THE SAME ARTICLE DELETED.
WUENSCHKE SUGGESTED, WITHOUT MUCH HOPE, THAT THE
NAME OF THE ORGANIZATION COULD BE CHANGED TO
"INTERNATIONAL AUTHORITY FOR SEABED RESOURCES."

4. WUENSCHKE INDICATED THE GDR WAS CAUGHT BETWEEN
TWO POLICY INTERESTS ON THE QUESTION OF PRICE
CONTROLS. AS AN IMPORTING COUNTRY IT WOULD LIKE
LOW PRICES FOR RAW MATERIALS. AT THE SAME TIME
IT WISHED TO SEE THE CONCERNS OF LDC LAND-BASED
PRODUCERS PROTECTED.

5. WUENSCHKE SAID THE GDR PLACED SPECIAL
IMPORTANCE ON ARTICLE 150 (1)(F) AND ON THE NEED
TO PREVENT MONOPOLIZATION OF THE
EXPLORATION AND EXPLOITATION OF THE RESOURCES OF THE AREA.
WHEN ASKED WHAT THIS MEANT IN PRACTIAL
TERMS, WUENSCHKE SAID IT MEANT THAT ONE OR TWO
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COMPANIES SHOULD NOT BE ALLOWED TO GET ALL THE
SEABED MINING CONTRACTS.

6. THE GDR WOULD LIKE TO SEE ARTICLE 159 ON
THE COUNCIL AMENDED SO AS TO ENSURE TWO SEATS ON
THE COUNCIL FOR THE GROUP OF LANDLOCKED AND
GEOGRAPHICALLY DISADVANTAGED STATES.

7. EMBOFF OUTLINED US VIEWS ON SEABEDS ISSUES
IN GENERAL TERMS DRAWING ON AMBASSADOR RICHARDSON'S
ADDRESS OF JANUARY 18. GOERNER AND WUENSCHKE EXPRESSED
APPRECIATION FOR OPPORTUNITY TO DISCUSS THESE
POINTS, SAYING THAT IT HAD HELPED CLARIFY A NUMBER
OF ISSUES.

8. GOERNER ASKED WHAT US POSITION WOULD
BE IF NEXT SESSION OF LOS CONFERENCE FAILED TO
MAKE PROGRESS, INDICATING THAT THE GDR WAS
REVIEWING ITS OWN POLICY IF THIS SHOULD OCCUR.
EMBOFF DID NOT ANSWER GOERNER DIRECTLY BUT NOTED
THE ADMINISTRATION'S SUPPORT FOR DEEP SEABED

MINING LEGISLATION AS ANNOUNCED BY AMBASSADOR RICHARDSON JANUARY 23 BUT ALSO SAYING THAT US WOULD MAKE GOOD-FAITH EFFORT TO FIND SOLUTIONS TO OUTSTANDING ISSUES AT THIS SESSION OF THE CONFERENCE.

9. GOERNER SAID HE WAS PLEASED AT THE OPPORTUNITY TO MEET WITH US REPRESENTATIVES AND ASKED TO MEET AGAIN IN EARLY JUNE WITH EMBOFF TO REVIEW THE OUTCOME OF LOS CONFERENCE. EMBOFF AGREED TO MEET WITH GOERNER AT THAT TIME.

10. THE AMBASSADOR HAS RECEIVED A LETTER, DATED MARCH 17, FROM DEPUTY FOREIGN MINISTER EWALD

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C O N F I D E N T I A L SECTION 02 OF 02 BERLIN 02020

MOLDT REGARDING LOS. FOLLOWING IS EMBASSY'S
INFORMAL TRANSLATION:

BEGIN TEXT:

I THANK YOU VERY MUCH FOR SENDING ME THE
STATEMENT OF AMB. RICHARDSON OF JANUARY 18. IN
CONNECTION WITH THE INTERSESSIONAL MEETING OF THE
LOS CONFERENCE, THE INFORMATION ON THE DETAILED
POSITIONS OF THE US DELEGATION REGARDING ONE OF THE
TWO KEY ISSUES OF THE CONFERENCE WAS VERY USEFUL
FOR ME.

AS YOU KNOW, THERE HAVE TAKEN PLACE BOTH IN
NEW YORK AS WELL AS HERE IN BERLIN, INTENSIVE WORKING
CONTACTS BETWEEN REPRESENTATIVES OF THE DELEGATION
OF THE GDR AND OF THE US WHICH I CONSIDER VERY
USEFUL.

ALLOW ME TO THANK YOU FOR THE GOOD SUPPORT
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ON THIS AND TO EXPRESS MY CONVICTION THAT SUCH
CONTACTS WILL ALSO BE ADVANTAGEOUS IN THE FUTURE.

ALL THE MORE SO AS YOU WILL CERTAINLY AGREE
THAT IN ORDER TO ACHIEVE AN EARLY LOS TREATY,
URGENT SOLUTIONS MUST BE FOUND NOT ONLY TO THE
OPEN QUESTIONS IN REGARD TO THE REGIME OF THE
DEEP SEABED BEYOND NATIONAL JURISDICTION BUT ALSO
TO THE QUESTION OF ACCESS BY LANDLOCKED AND
GEOGRAPHICALLY DISADVANTAGED STATES TO THE
LIVING RESOURCES OF OTHER STATES. END TEXT.

11. WE HAVE FORWARDED AMBASSADOR RICHARDSON'S
MARCH 16 STATEMENT TO MOLDT AND TO OTHER GDR
OFFICIALS CONCERNED WITH LOS ISSUES.

12. COMMENT: WE HOPE THAT US DELEGATION MEMBERS
AT GENEVA WILL BE ABLE TO MEET WITH GDR REPRESENTATIVES
FROM TIME TO TIME. WHILE THE EAST GERMANS WILL
HAVE ONLY LIMITED FLEXIBILITY IN VIEW OF THEIR
CLOSE COORDINATION WITH THE USSR AND THE LL/GDS GROUP
WE BELIEVE THAT WITHIN NARROW LIMITS THE GDR
MAY BE HELPFUL TO US ON SOME ISSUES. CERTAINLY THEY
GIVE EVERY INDICATION OF WISHING TO CONSULT AND
COOPERATE. END COMMENT. BOLEN

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Review Release Event: n/a
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Status: NATIVE
Subject: LOS: GDR COMMENTS ON LOS ISSUES
TAGS: PLOS, PORG, GC
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